

AMENDMENTS TO THE CLAIMS:

1. (Currently amended) An audio output control apparatus in a mobile terminal having an MP3 player for reproducing MP3-formatted audio data into an audio signal, comprising:

an ear jack for transferring the audio signal output from the MP3 player to one of an earphone ~~a first and an external speaker~~ ~~a second audio output device~~, connected thereto, and generating a sense signal indicating whether a type of the connected audio output device is the earphone or the external speaker; and

a controller for determining the ~~type of the~~ audio output device connected to the ear jack depending on the sense signal and controlling an audio gain of the MP3 player according to the determined result, wherein the sense signal is generated at the ear jack.

2. (Currently amended) The audio output control apparatus as claimed in claim 1, wherein the ear jack has at least two nodes for sensing connection to either the first audio output device is an earphone or ~~and the second audio output device is an external speaker.~~

3. (Original) The audio output control apparatus as claimed in claim 2, wherein the controller increases the audio gain when the external speaker is connected to the ear jack, and the controller decreases the audio gain when the earphone is connected to the ear jack.

4. (Original) The audio output control apparatus as claimed in claim 2, wherein the

earphone includes a first ear jack connector connected to the ear jack for generating a sense signal of a first level, and the external speaker includes a second ear jack connector connected to the ear jack for generating a sense signal of a second level.

5. (Currently amended) A method for controlling an audio gain of an MP3 player in a mobile terminal having the MP3 player for reproducing MP3-formatted audio data into an audio signal, the mobile terminal including an ear jack ~~for generating a sense signal indicating a type of an audio output device connected thereto, the audio output device including an earphone and an external speaker,~~ comprising the steps of:

~~connecting~~ determining the type of the an audio output device ~~connected to the ear jack~~
during an operation of the MP3 player;

~~generating at the ear jack a sense signal indicating whether the audio output device is an earphone or an external speaker, and~~

controlling the audio gain of the MP3 player according to the generated sense
~~signal~~ determined type of the audio output device connected to the ear jack.

6. (Currently amended) The method as claimed in claim 5, wherein the controlling step comprises the steps of:

increasing the audio gain when ~~an~~ the external speaker is connected to the ear jack; and
decreasing the audio gain when ~~an~~ the earphone is connected to the ear jack.